

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

WALTER ERWIN <div style="text-align: right; padding-right: 20px;">Petitioner,</div> <div style="text-align: center; padding: 10px 0;">v.</div> ROBERT COLLINS, <i>et al.</i> <div style="text-align: right; padding-right: 20px;">Respondents.</div>	: : : : : : :	CIVIL ACTION NO. 13-254
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ORDER

AND NOW, this 15th day of December 2015, upon careful and independent consideration of the petition for a writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge Timothy R. Rice, and the objections thereto, it is hereby **ORDERED** that:

1. The Report and Recommendation [Doc. No. 17] is **APPROVED and ADOPTED** as set forth in the accompanying Memorandum Opinion;
2. The Petition for a Writ of Habeas Corpus [Doc. No. 1] is **DENIED with prejudice and without a hearing**;
3. The request for a stay [Doc. No. 19] is **DISMISSED**;
4. There is no probable cause to issue a certificate of appealability; and
5. The Clerk is directed to **CLOSE** the case.

It is so **ORDERED**.

BY THE COURT:

/s/ **Cynthia M. Rufe**

CYNTHIA M. RUFE, J.